

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CLERK, U. S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED
12/4/00
MICHAEL N. MILBY, CLERK
DEPUTY

United States Courts
Southern District of Texas
ENTERED

DEC 0 2 2000

Michael N. Milby, Clerk

CARL HENRY BLUE,
Petitioner,

V.

GARY L. JOHNSON, DIRECTOR,
TEXAS DEPARTMENT OF
CRIMINAL JUSTICE,
INSTITUTIONAL DIVISION,
Respondent.

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§ CIVIL ACTION NO. H-99-350
§ (District Judge Kenneth M. Hoyt)
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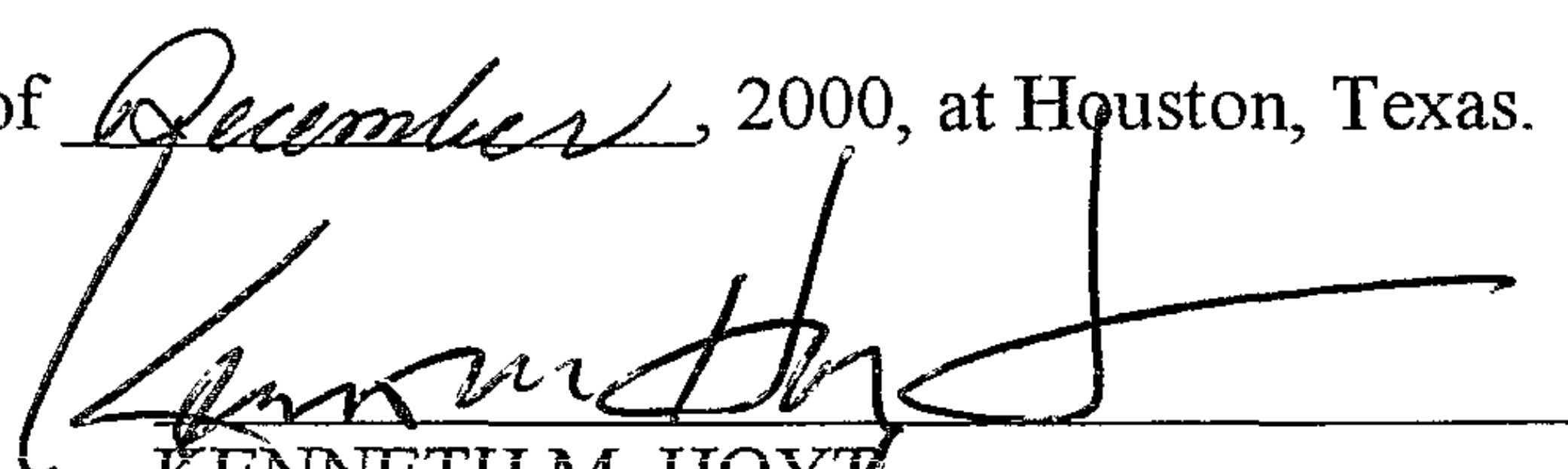
ORDER AMENDING CONDITIONAL GRANT OF RELIEF

On the motion of Respondent, the Orders and Judgment provisionally granting relief (Docket Numbers 28, 29, 30) are amended to include the following:

It is ORDERED that Respondent Gary L. Johnson, Director, Texas Department of Criminal Justice, Institutional Division, shall release Petitioner from custody unless within 180 days the State of Texas either imposes a sentence of life imprisonment or conducts a new sentencing hearing in accordance with the constitution and laws of the United States.

It is further ORDERED that the 180-day time period shall not commence until the conclusion of any appeal from the portion of the Judgment denying relief expires, either by exhaustion of such appeal(s) or the expiration of the time period in which to seek such appeal(s).

SIGNED on this the 4th day of December, 2000, at Houston, Texas.


KENNETH M. HOYT
United States District Judge
Southern District of Texas